

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re CSRBA
Case No. 49576

) **Water Right(s): 94-7394 Clerical Error**
)
)
)
)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

10-27-16



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-27, 2016, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Coeur D'Alene-Spokane River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive J Strong
Office of the Attorney General
PO Box 83720
Boise ID 83720-0010

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Ken Smith
15170 S Bull Run Rd
Cataldo ID 83810

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

10/24/2016

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 94-7394

NAME AND ADDRESS: KEN SMITH
~~6-15170 BULL RUN RD~~
~~CATALDO ID 83810~~

15170 S BULL RUN RD
CATALDO ID 83810

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
31.400 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/23/2003

POINT OF DIVERSION:

T48N R01W S4 SWNE Lot 11 Within KOOTENAI County

T48N R01W S4 SWNE Lot 11 Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	03/15 11/15	0.200 CFS 21.00 AFY
DIVERSION TO STORAGE	01/01 12/31	0.200 CFS
RECREATION STORAGE	01/01 12/31	9.20 AFY

Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.

PLACE OF USE: IRRIGATION in KOOTENAI County

T48N R01W S04 Lot 11 SWNE 3.10 T48N R01W S04 Lot 11 SENW 1.30

T48N R01W S04 Lot 12 NESW 0.80 T48N R01W S04 Lot 10 NWSE 1.80

DOMESTIC in KOOTENAI County

T48N R01W S04 Lot 11 SWNE

T48N R01W S04 Lot 11 SENW

RECREATION STORAGE in KOOTENAI County

T48N R01W S04 Lot 11 SWNE

T48N R01W S04 Lot 10 NWSE

7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

10/24/2016

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel No. 48N01W-04-1600 and 48N01W-04-4700.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.